

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES R. PRUTSMAN,

Plaintiff,

No. C 12-6448 PJH

v.

**ORDER DENYING MOTION TO
SHORTEN TIME AND RESETTING
HEARING DATES**

RUST CONSULTING, INC., et al.,

Defendants.

Before the court is defendants' motion to shorten the time for briefing and hearing of their motion for leave to conduct jurisdictional discovery. Defendants argue that the current schedule will prejudice defendants, because their motion for jurisdictional discovery is not scheduled to be heard until March 6, 2013, which is one week after the court is scheduled to hear plaintiff's motion to remand. Defendants argue that the motion to remand may render moot the motion for jurisdictional discovery. Plaintiff opposes the motion, arguing that the discovery sought is irrelevant, and further pointing to defendants' own delay in bringing their motion for jurisdictional discovery.

The court does agree with defendants that plaintiff's motion to remand should not be heard before defendants' motion for leave to conduct jurisdictional discovery. Instead, because both motions involve related issues, the court will hear them both (along with defendants' motion to dismiss) on March 20, 2013. Defendants' jurisdictional discovery motion shall be briefed in accordance with the district's standard schedule. If the court finds that jurisdictional discovery is warranted, it will defer judgment on plaintiff's motion to remand, and will order supplemental briefing so that the parties can address the evidence obtained through discovery.

IT IS SO ORDERED.

Dated: February 12, 2013



PHYLLIS J. HAMILTON
United States District Judge